

C2 <sup>12</sup>11. (amended) A method according to claim <sup>13</sup>7, further comprising a step, by a user, of setting the terminal device to a personal threshold value, and a step, by the measuring system, of sending through the base station a personal message to the user's terminal device if the set threshold value is exceeded.

#### REMARKS

In the Official Action, Claims 13 and 17 were rejected under 35 U.S.C. 112 as being indefinite for reasons set forth in the Action. Claims 13 and 17 have been amended for clarification so as to overcome this ground of rejection. Claims 1-21 were rejected under 35 U.S.C. 103 as being unpatentable Grube (US 6,013,455) for reasons set forth in the Action. Reconsideration of these rejections is requested respectfully in view of the argument herein.

With respect to the features of the present invention, as set forth in the independent system claim 1 and the independent method claim 7, these claims are readily distinguishable from the teachings of Grube. There is a fundamental difference between the present invention and the teachings of Grube. In the present invention, the environmental measuring stations are placed physically on the same sites as the base stations, and are physically connected to their respective base stations of a cellular radio system. In contrast, in Grube, the sensors are physically part of cellular telephones; a sensor is physically on the same site and is physically connected to a cellular telephone. It is noted that Grube (column 2 at line 65 to column 3 at line 3) states that the subscriber

22 can be any other device that receives or transmits data via a wireless communication path. However, even if this would be given a broad meaning, the Grube teaching cannot be a base station of a cellular radio system because a base station is never a subscriber unit. Grube clearly teaches that the subscribers units 22 are in radio communication with wireless communication transceivers 24, which are included in the infrastructure equipment and therefore can be base stations.

Therefore, Grube teaches a completely different solution in the use of the subscriber unit 22 for environmental measurements than the present invention, and does not teach environmental measurements in connection with the base stations 24. The Grube teaching has drawbacks such that, in order for a service provider to obtain a system function, the service provider must obtain numerous subscribers who will use the subscribers units 22 with their respective environmental sensors 37. This would require that operators dictate, to a certain extent, the kind of cellular telephones to be used by the subscribers. However, in most countries, subscribers have freedom to choose the cellular telephones that they wish to use. Therefore, the requirement of the Grube teaching would be impractical. Furthermore, it is noted that subscribers units move about in a mobile network, so that there can be no guarantee of the coverage area of the environmental measuring system constructed by the Grube teaching. Also, with the Grube teaching, a cellular telephone can provide no measurement data when the telephone battery is discharged or when the telephone is switched off.

In contrast, in the case of the present invention, the environmental measuring stations are located at the base stations. The base stations are stationary, in contrast to mobile stations which move about. Therefore, in the practice of the present invention, the placing of environmental measuring stations at the sites of base stations ensures the desired area of coverage for each measuring station. Furthermore, it is noted that base stations have a fixed power supply which operates independently of users of the communication system and, in particular, the users of the communication system can not control whether power of a base station is switched on or off. Accordingly, an environmental measuring system according to the present invention can be established by agreeing with the network operator of a cellular telephone network to place environmental measuring stations at the base stations. Thereby, the present invention is not dependent on individual subscribers, or users; rather, there is established a measurement network with fixed guaranteed measurement areas.

In Grube, there is no suggestion of using anything other than the subscriber units 22 for measurements. Nor is there a teaching or suggestion that an environmental sensor 37 might be located at the infrastructure equipment; rather, the Grube teaching is for the environmental sensors to be located at the mobile communication devices, namely at the subscriber units 22.

The claims depending from the independent claims 1 and 7 recite further details in the present invention, and

are believed to be distinguishable from the Grube teachings in view of the foregoing argument.

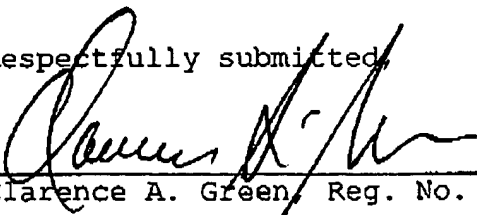
Accordingly, this argument is believed to overcome the rejections of claims 1-21 under 35 U.S.C. 103 so as to secure allowance of these claims.

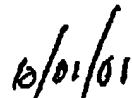
The foregoing response is believed to meet all the points raised by the Examiner so as to place the claims in condition for allowance. If any of the matters raised in the Action or any further matters have not been adequately resolved by this amendment, a telephone interview between Applicant's representative and the Examiner is requested in order to resolve any such outstanding matters.

It is submitted respectfully that all the claims are now in condition for allowance in that they patently distinguish over the art. Accordingly, a favorable action indicating such condition is earnestly solicited.

Please charge deposit account No. 16-1350 for any fee deficiencies with regard to the filing of this Amendment.

Respectfully submitted,

  
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## MARKED UP COPY OF THE CLAIMS BEING AMENDED

13. (amended) A system according to claim 1, wherein the measuring system is configured to allow a user of a terminal device to set a personal threshold value in the measuring system, and the [terminal device of the user] measuring system is configured to send through the base station a personal message to the user's terminal device if the set threshold value is exceeded.

17. (amended) A method according to claim 7, further comprising a step, by a user, of setting the terminal device to a personal threshold value, and a step, by the [terminal device] measuring system, of sending through the base station a personal message to the user's terminal device if the set threshold value is exceeded.